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history. Every born colonist may feel sure of having what the French had not on going to Mexico, "a mission to fulfil." What is this mission? The propagation of the Italian type. And what is the Italian type in its highest maturity? It is the "happy medium" type, the *just milieu*, which by being "happy" and "just" must need manifest itself as moderation and refinement, but which may also as a mere "mean" or middling type find its most adequate expression in mediocrity and indifference. As a moderator and refiner, the new Italian state bids fair to soften the crudities and to reconcile the extremes of modern politics. But how far its typical mediocrity and indifference may effect its own internal development we will not undertake to conjecture. Each reader may draw his own conclusions, which, considering the scantiness of the premises, are likely to depend on his temperament rather than on his judgment.

E. GRYZANOVSKI.

ART. III. — THE MISGOVERNMENT OF NEW YORK, — A REMEDY
SUGGESTED.

GREAT cities are, so far, the curse and the puzzle of our civilization. Neither here nor in Europe has any ruler discovered how to rule them. Napoleon made Paris convenient, but bankrupt; and it is scarcely worth while to Hausmanize a city, if it is to be bombarded just when it is completed. London is less expensively but almost as badly misgoverned as New York. In the United States, the great cities are, almost without exception, the prey of jobbers; and it is curious that the most of these city plunderers work by means of Irishmen. The Irish emigrants to our shores display an extraordinary aptitude for misgoverning cities, which deserves the attention of some scientific investigator. They have two traits which go far to account for the success of their leaders in this bad business: they, in common with some other foreigners, though to a greater extent, attach great importance to government employment. An Irishman, just landed in New York, will sweep the streets

for the city government for less money than he will take to serve a private citizen in a more agreeable employment. An American is, until he turns loafer, averse to accepting minor service under the government, because it is of uncertain duration, and he counts it no particular honor. For an Irishman, the uncertainty has perhaps a charm, and his self-importance is swelled by the character of his paymaster. Secondly, the Irish, more readily than any other people amongst us, accept charity. They count it, as a rule, no disgrace to have a patron, and their leaders know very well how to use this weakness. Thus, a notorious and successful New York politician, who was asked what were the means by which he ruled a large part of the city, replied, "I spend almost all my time in helping the poorer sort of people. If a woman has a son out of employment, she sends him to me ; if a man newly landed needs work, he is brought to me ; if any one is in want he comes to me, and I try to get him a place." Now "a place" meant, in this man's vocabulary, a place where he would be paid by the city or county government, well paid for light work, and of course he voted for the man who helped him. If this benevolence had been legitimate, if it had been practised at private cost, and not at the expense of the city, it would have been laudable ; but in this case it answered precisely to Sydney Smith's definition of charity, which consisted in A borrowing a sovereign of B, to give to C. B was here the body of tax-payers of the city of New York.

But such as our cities are, they must be ruled. We cannot change the conditions of the problem. The population of a great city must continue, for a long time at least, to consist, partly, of the very rich and the very poor ; of idle, luxurious, over-cultivated, poor, ignorant, and vicious people, together with a great mass of hard-working, poorly accommodated, struggling, honest men and women, living from hand to mouth. Given such a population, in which there is a large proportion of foreigners, unaccustomed to equal civil and political rights, and yet possessing both ; given universal suffrage ; — how can we obtain efficient and tolerably honest government for our great cities ? This is the real and important question.

Why should a million of people living in streets on Manhat-

tan Island be more exposed to misgovernment than an equal number scattered over one of our Western States? Not because they are less intelligent, for they are not; or less energetic, for they are not. Not even because they are much more vicious, for there is no reason to believe that they are so. If the poorer part of the population of New York were as depraved, vicious, or lawless as it is a bad fashion to represent them, Fifth Avenue would have been "gutted," to use a street phrase, long ago.

The city differs from the country in these, among other respects:—

1st. Fewer of its people own real estate.

2d. A great proportion of them live in crowded tenements, which is not the case in the country of course.

3d. A far greater proportion of them live from hand to mouth, and lay by little or nothing.

4th. The distinctions between wealth and poverty are far more marked in the city than in the country; and

5th. The relations between the wealthy and the poor or humble citizens are less intimate; and not only less intimate, but, what is of extreme importance, of a different kind altogether. In the country rich and poor usually worship in the same church. In the large cities, — notably in New York, — a wealthy congregation usually builds a fine church for itself, and a mission chapel a mile off for the poor its hired or volunteer missionary can gather together. In the country, the sick or destitute are relieved by individual care and benevolence; in the city, a hired distributor of alms investigates the case, and doles out assistance. In the country, you help a man by finding work for him; in the city, you "give him a dollar and let him go." In New York the public schools form now almost the only common meeting-ground for the rich and poor; and these are vigorously threatened by the Roman Catholic influence.

It is plain, then, that the relations existing between the different classes of society, in city and country, are very different. Not only do they live much farther apart in the city, but when they come into contact their attitude towards each other is very different. But one of the most experienced city missionaries of New York is reported to have said that charity is almost al-

ways a curse ; that to give money or the means of living to the poor has been, in the majority of cases known to him, to make them paupers, at least gravely to impair their efficiency ; and that when he had once supplied a measure of coal, or any other indispensable means of life, he found, almost always, that he was called upon to repeat the gift year after year. If this is true, how demoralizing must be the whole attitude of the rich towards the poor in a great city like New York, where Tweed was praised last winter, because he gave out of his ill-gotten millions a few thousands to those of his followers who chose to call themselves “ poor.”

But this, too, we cannot prevent. The busy city merchant has not time to administer his own charities ; he gives freely, but it is only money ; he cannot give time.

Again, the city differs from the country in this, that its government has much more intimate relations to the comfort and convenience of the people. A large part of the duty of the city government concerns internal improvements, — always and everywhere a fertile source of corruption. Gas, street pavements, sewers, railroads, docks, parks, all these the city government builds or controls, and each becomes a means of robbery and corruption the moment the machinery of the city government is ill arranged.

That is to say, it is far more necessary that a city charter should be perfect, than that the constitution of a rural county should be so. Every point of difference between city and country makes against the city ; makes the evil of a badly framed charter greater, more powerful for mischief, less efficient for good, and more effective for robbery, and, what is worse, for corrupting public morals and debauching public opinion.

Mill rightly reckons it one of the first merits of a good system of government, that it trains the people. “ The first question,” he says, “ in respect to any political institutions, is how far they tend to foster in the members of the community the various desirable qualities, moral and intellectual ; the government which does this the best has every likelihood of being the best in other respects, since it is in these qualities, so far as they exist in the people, that all possibility of goodness in the practical operations of government depends. We may consider, then, as one

criterion of the goodness of a government, the degree in which it tends to increase the sum of good qualities in the governed, collectively and individually." Of course he does not mean that any one shall be made virtuous by act of Congress, or that an ordinance of the common council can create public spirit. But government ought to be so framed that it shall not hinder the exercise of public spirit; that it shall leave free play for the faculties of men; and that it shall not make the citizen inactive, by making efficient action for the public good hopeless. It is with public very much as with private affairs: Convince a man that no effort of his can better his private fortunes, and you make him an idler and skulk; persuade the mass of citizens that their action, however determined, cannot abolish public evils or reform abuses, and you crush public spirit.

Now the great and radical fault of the charters which New York has had is that they did just this. They have crushed the public spirit of the city, by taking the government out of the hands of the people, and by making it needlessly cumbrous and complicated. It is not necessary here to describe the older charters of New York; none of them were intended to institute a government directly responsible to the people. The evils under which the city suffers grew up mainly under the last charter, which was superseded by the present one in the spring of 1870. Under this charter and its amendments, —

I. The city, which includes the whole territory of the county, was saddled with two distinct governments, which necessitated two separate sets of accounts, two sets of officers, those of the city and those of the county; and left one of these bodies, the Board of Supervisors, entirely irresponsible to the Mayor.

II. As though this had not been bad enough, it was next arranged that the Supervisors should be what is called a "non-partisan" board; composed, that is to say, in nearly equal numbers, of men of both political parties. This of course completed their independence, and made jobbing their natural and inevitable business. For the Supervisors were thus as independent of party control, and as well guarded against the interference of politicians and of public or party opinion on both sides, as they were irresponsible to the Mayor.

III. Next, many of the most important functions of the city government were given into the hands of commissions, boards, also non-partisan, and usually appointed by the Governor, or, worse yet, by the Legislature.

The story of these non-partisan commissions runs in a uniform course. When first created, they were zealous and efficient. Generally in about a year the useful men were driven to resign, and in their places at once appeared the worst class of politicians, and thenceforth the commission or board became a mere machine for corruption and political intrigue. While, for instance, Mr. Jackson S. Schultz, one of the most public-spirited as well as one of the ablest citizens of New York, remained at the head of the Board of Health, that commission did good work. But his health broke down under the strain, not of his legitimate duties, but of the pressure and worry of the viler sort of politicians; he resigned in disgust; and the board has ever since been a mere political machine. Had Mr. Schultz been sole head of the Sanitary Department, responsible only to the Mayor, he would have been ten times as efficient, and would not have resigned; for every strong man likes power.

IV. Next, the Comptroller, the city's secretary of the treasury, was elected, and for a longer or different term of office than the Mayor. This made him also an independent officer. This was in accordance with one of the political superstitions of the State of New York, in which people of both parties imagine that, unless the head of the treasury were independent of the chief executive officer, the two would inevitably combine to plan a burglary of the treasury vaults. It must appear odd to such people that the President and his Secretary of the Treasury have never, in a single instance, since the days of Washington, gone off between two days with the treasury balance.

V. The judges and the prosecuting officers were elected, which has proved a blunder everywhere.

VI. What was equally mischievous, the citizens were obliged to elect also a sheriff, school trustees, and a number of other petty officers.

VII. Finally, as though to declare in the most plain and

positive terms that the citizens of New York would elect only rogues to office, the State Legislature assumed to declare, not only how much money the two governments of the city should spend, but for what the expenditures should be made.

This system, which grew up gradually, had two leading ideas,—to destroy party government in the city (by “non-partisan” boards), and to give the Legislature at Albany all real power over the city. It was, of course, a device of the Republican politicians, who then ruled the State, and who, silly creatures as most of them are, imagined that they could thus, if not reduce, at least make of little consequence the Democratic majority of the city. But the results, which were clearly foreseen and foretold by wise men, were: 1. To demoralize and corrupt the State government, which, called upon to decide in matters of which most of its members were necessarily ignorant,—how can a member from St. Lawrence County know what the local needs of New York City are?—had to decide ignorantly, which is but the preliminary step to deciding corruptly. 2. To give the State, finally, to the Democrats, who might have kept it for fifty years, if they had not been even more ignorant and corrupt than the Republicans. It is one of the most certain signs of the utter corruption and demoralization of the Democratic leaders, that they had not spirit, wisdom, and self-control enough to use rightly their great opportunity in New York. We shall see what they did.

The folly of obliging the people to decide at the polls upon the fitness for office of a great number of persons, lies at the bottom of almost all the misgovernment from which we suffer, not only in the cities, but in the States. It is a darling device of the political jobbers, and a most successful one; for, under the hollow pretence that thus the people have greater power, they are able to crush public spirit, to disgust decent and conscientious citizens with politics, to arrange their “slates,” to mix the rascals judiciously with a few honest men wherever public sentiment imperatively demands that much, and to force their stocked cards upon the people. When Smith wants Jones to vote for a Democratic Federal administration, he asks him to vote for the Democratic candidate for the Presidency,—that is all. The Presidential candidate involves all. The Federal

administration controls, taxes, and makes happy or unhappy forty millions of people, excluding Indians untaxed ; its officers are appointed in every State, in every county, and in almost every township ; its treasury draws more than four hundred millions from the people every year ; its laws are the supreme law of the whole Union. Yet, when Smith is called upon to vote upon all these questions and interests, he votes for precisely two persons, the President, and the member of Congress from his district. It is not difficult for Smith, if he is a conscientious or intelligent voter, to discover all about these two men before election day, and to decide which two of the four presented to his suffrage by the two parties are the fittest. The press helps him ; discussion of their character, fitness, responsibility, is general and unintermitted during the canvass ; they live in glass houses ; whatever in their past conduct or history bears upon their capacity for the places they seek is exposed to public view, and no citizen need vote in ignorance. As voting is, on the whole, a pleasant exercise of power, when one can know for whom one is voting, the Presidential and Congressional vote is always full.

But suppose, at the Presidential election, the citizens were asked to vote for President, member of Congress, judge of the Supreme Court, Secretary of the Treasury, Postmaster-General, Attorney-General, Secretary of State, Secretary of the Interior, Collector of Customs, Collector and Assessor of Internal Revenue, Postmaster, and perhaps a dozen other Federal officers, all nominated on the party tickets, how long would it be before only those who hoped to gain something from the election, and those whom they could persuade or influence, would be the only ones to vote ? Would it not be an insult to a citizen of intelligence to ask him to decide upon the merits and capacity and honesty of such a number of men ? Would he not give up the undertaking in despair, and stay away from the polls,—as half, and the best half, of New York City does now, on the day of a municipal election ?

If, then, the citizens of New York seem to the rest of the country to lack public spirit, here is one reason for it. No thoughtful man, feeling the responsibility of his act, and desirous to do right, or, at least, to vote intelligently, can go to the

polls, at a municipal election in New York, — and this holds true of almost every other large American city, — without disgust with himself, and with the system which, by compelling him, if he votes at all, to support a number of persons of whose character and fitness he cannot inform himself, makes him a dummy in the hands of the swindling politicians who nominate ; and makes reform hopeless.

Nor, when the election is over, does the result tend towards good government, even if a certain proportion of honest men should chance to be chosen. For the result is only a jumble ; the people, or such of them as have chosen to vote, have exercised their authority in a manner which does not give them a responsible government. A number of men have been put into office, all holding place from the same supreme authority, the people, and all therefore equals. There is no responsible head, no one man to whom the people may look, upon whom they may call for honesty or efficiency ; authority and responsibility have been divided out in dribbles ; and when a wrong is exposed, when inefficiency is censured, the blame falls upon no single head ; and thus the first step towards reform, the impaling of the offender, is made impossible by this vicious system ; and the citizen, be he never so public-spirited, after going from one officer to another, trying in vain to fix upon some one the guilt of a misdeed, at last gives up in despair.

What is thus true of the city of New York is no less true of the State, and of many other States. In most of the States of the Union demagogues have persuaded the people that they are wise enough to choose a number of public officers, and that this is the most democratic way, the way in which the people can exercise the most control over their affairs. But in fact it is the way in which the caucus and the reign of political jobbers is perpetuated ; in which the people stultify themselves and resign all real control over their affairs to a secret, unofficial, and self-seeking council of political managers ; and in which able and honest men, who cannot be the creatures of such a conspiracy, are almost inevitably driven out of political life.

The demoralization of our State governments, which is so general that it has excited very just alarm, will never be cured

until public opinion, rightly instructed, demands a change in the State constitutions, which shall restore power to the people by giving them in the State, as they have in the Federal government, a single responsible head, to whom alone they may look for the remedy of grievances, and upon whose head the whole power of public opinion may be brought to bear.

The present Constitution of the State of New York (and in most of the other States it is the same) leaves the Governor of the great Empire State a mere figure-head, almost without authority, except to veto bills, to pardon criminals, and to appoint militia officers. No matter how great or able a man he may chance to be, he can have no broad or proper influence upon the policy of the State, because he has no power over his subordinates, the "State officers." Would he make the prisons better? The prison inspectors are his equals, elected as he is by the people, and independent of him. Would he improve the management of the canals? The canal officers are chosen by the people, and are not responsible to him. And so to the end of the chapter. Not only this, but with an ingenious and almost droll determination to break down power and responsibility, some of these officers are chosen at an election different from that at which the people choose a Governor; and it has happened that nearly the whole State administration has been of opposite politics from their helpless chief. Can a situation be imagined more deplorable for an able and honest man; or more welcome to a trickster, a weakling, or a cheat?

It results of course that a man of brains no longer cares to be Governor of New York; or if he seeks the place, it is only as a stepping-stone to a snug seat in the United States Senate, or as a candidate for the Presidency. It results that, instead of Clinton, Wright, or Seward, New York is promised Oakey Hall for its next Governor, and has Hoffman at present; neither Tweed nor Sweeney caring for such empty honors.

But if the executive has been deprived of the necessary power and responsibility in the city, as in the State, of New York, the legislative body, the Common Council, has been no less deprived of all the functions the exercise of which could give it importance. Whatever legislation for the city has real

importance was transferred to Albany by the Republicans, and has been kept there by the Democrats. If a horse-railroad company wants to use one of the city's streets for its private purposes, it applies to the State Legislature. If a gas company wants a charter, it goes to Albany. Whatever concerns the health, the comfort, the convenience, or the burdens of the citizens, or the usefulness of the port, the State legislature is called upon to provide. Even the budget of expenses and the bill of appropriations were carried to Albany under the Republicans,—usually by a very drunken and demoralized Democratic crowd,—in the last days of the session, were laid in secret before a legislative committee, and passed in a great hurry in the last tumultuous hours of the session. The Democrats, in the new Tweed charter, no more trusted New York than their opponents. They also laid their budget before the Legislature, but in a lump. Tweed demanded twenty-two millions, and leave to do what he and his associates chose to do with the money; and he got both. Suppose the President should demand of Congress four hundred millions, and should say, “You must authorize me to use this as I choose, without giving account to you,”—what would the people say? But suppose he should add, “I want leave, besides, to increase at my own will the public debt.” But that is substantially what Tweed has asked and got, under the name of “consolidating” the floating debt which the extravagance and robbery of his crew had created.

To the Common Council under the old charter was left a good deal of the minor administrative business, with which no legislative body can interfere without doing mischief. It granted licenses, authorized street stands, protected the apple-women, bribed the reporters, made out large printing bills; and the rest of its time was spent in jobbing, as was perfectly natural, for Satan finds some labor still for idle hands to do. People cry out that such men as the Astors, the Dodges, the Taylors, and Phelps, the great and rich merchants, will not be seen in the Common Council. But why should they? They are men of brains, accustomed to the management and control of important affairs, and impatient of trifling. Give the Common Council of New York the power and responsibility which a legislative

body ought to have, let it hold the purse-strings of the city, as Congress holds the purse-strings of the nation, and the best citizens will seek a place on its benches; if no other reason impels them there, the instinct of self-protection will imperatively do so; and, once there, under such circumstances, and feeling themselves able to exercise a real control over the city's affairs, they would like it, — for all men like power.

The city charter described above was that repealed eighteen months ago. That which has been substituted for it, and under which New York now lies helpless, was a most ingenious contrivance of the Tammany leaders. They had long cried out against the system under which so many of the city's affairs were carried to Albany; they were pledged, not only to a new charter, but to a new system. They pretended that their differences with the Republicans were not trivial, but fundamental and radical. But the Democratic leaders, in New York, had profited corruptly by the system which they cried down. It is indeed true that they had not only profited by it, they had been corrupted by it. Moreover, the Tammany leaders hate and fear the people, as all corruptionists do; and it was not in their desires to give New York a sound and popular charter. They contrived an act which most carefully perpetuates the power of the Tammany ring, makes the people helpless, fribbles away responsibility, and almost destroys the very hope of reform. The recent exposure of monstrous robberies of the Tammany ring, made in the "Times" of New York, stirred the city as no other event has stirred it since the bombardment of Fort Sumter. Disgust gave place to rage, fear, and hatred, in the great body of citizens. But the ring laughed at the fury of their victims, as well they might; for under the new charter, scarcely anything short of a revolution can help New York. To the threat to oust the ring, by abolishing the charter, the Tammany organ replied that Governor Hoffman is sure to veto the repealing bill. Mr. Hoffman has been so obedient a tool of Tammany, and of the leaders of the ring, that it is probable he would do this. There is one way to make a break in the city ring; the Common Council has, by the charter (section 29), the power to impeach the Mayor, and bring him to trial in the full court of common pleas of the city; and the court

may declare his office vacant. But even this would do but little good. See how the charter guards the power of the ring at every point: to remove the Mayor by impeachment would yet leave untouched the heads of the departments, that is to say, Tweed, Sweeney, Connolly, and their partners. For section 107 of the charter declares that the appointing power shall be exercised only by the "Mayor elected to that office, and not by an acting Mayor"; and it adds that "in the event of the death, resignation, or removal of such elected Mayor, such power shall devolve on, and be exercised by, the Comptroller. And it is further provided that when a new appointment of one of the Heads of Departments is made, it shall be, not for the remainder of the term of the officer removed, but for the full term of his office under the charter. What this means we shall now see.

The Mayor who is elected is, under the new charter, to hold his office for two years. But he is to appoint, and Mayor Hall accordingly appointed, four Police Commissioners, to hold office for eight years. Five Commissioners of Charities and Correction, to hold for five years. One Commissioner of Public Works, to hold for four years. Tweed was appointed to this place. Five Fire Commissioners, to hold for five years. Four Commissioners of Health, to hold for five years. Five Commissioners of Parks, to hold for five years. Sweeney is the head of these. One of Buildings, to hold for five years. Five of Docks, to hold for five years. The Comptroller and Corporation Counsel were elective, and hold for four years.

That is to say, even if the Mayor were impeached and removed, his companions in crime would go on just the same; and they could only be impeached, not removed, by a new elected Mayor. Any one can see that this is not responsible government. The people cannot, at a single election, make a clean sweep of the whole city government: they can only elect a new Mayor. The Mayor's subordinates are beyond their power and beyond the power of a new Mayor, except by a tedious process of impeachment.

But this is not all. The new charter fixes the number of one house of the Common Council at only fifteen persons; and the assistant aldermen number only one for every assembly

district. These small houses are easily manageable ; and, moreover, the charter takes care to limit their powers very precisely and narrowly, and leaves a great deal of power over the city, especially that over the expenditures, to the State Legislature, where it rested before. The Legislature of 1871 adopted forty-seven laws relating exclusively to the city of New York, many of them needless and mischievous, and most of them relating to matters on which the Common Council was the proper body to act. Among these was the “Two-per-cent Act,” which limited the city taxes to two per cent on the assessed valuation, and gave the sum to be thus raised in a lump to Tweed, Sweeney, Hall, and Connolly, to spend as they chose,—an unheard-of authorization to misappropriate and misuse the money of the tax-payers.

But by one of these acts of the State Legislature the charter is so amended as to give the Mayor the appointment of the Comptroller for five years ; and the following astounding provision is added : “The Mayor, the Comptroller, the Commissioner of Public Works, and the President of the Department of Public Parks” — their names are Oakey Hall, Connolly, Sweeney, and Tweed — shall meet on the 1st of December, every year, and “make and agree upon an estimate of the various sums of money which, in their discretion, will be required to defray all the various expenses necessary for conducting the various boards, commissions, and departments, whether executive, judicial, legislative, or administrative, of the city government, and also for paying the interest on the city debt, and the principal of such debt falling due, and for providing for charitable and other objects, and thereupon fix and determine the amount of all such estimates, which *amount, when so established by said Mayor, Comptroller, Commissioners of Public Works, and President of the Department of Public Parks,*”—that is to say, by Hall, Connolly, Tweed, and Sweeney,—“by the concurring vote of all present, *shall thereby become appropriated*” ; and the Board of Supervisors are “directed” to cause such sums to be “raised and collected upon the estates, real and personal, subject to taxation within the said city and county of New York.”

Suppose the President and three of his Cabinet should thus assume to determine, in a private meeting, how much should

be raised annually for the expenditures of the Federal government, and for what the money should be spent,— what would the people say? But here is a monstrous power, given specially into the hands of four men, who, as the “New York Times” has asserted, and as everybody believes, have been for years engaged in the most enormous and shameless acts of robbery.

This is the Democratic plan of governing New York. It is, briefly, to deprive the people of all power, and to give the chief robbers unlimited and self-perpetuating power.

If any proof is needed that a State Legislature is as unfit to legislate for the local affairs of a city as Congress for the local affairs of a State, here it is. What could be more monstrous, more unjust, more destructive of good government, more dangerous to the rights of property, than for a State Legislature coolly to hand the property of the great city of New York over to four exposed and convicted corruptionists, to do with it what they choose to do in a secret meeting?

Popular government is, as Mr. Lincoln happily phrased it, “government of the people, by the people, and for the people.” There are, it is said, Americans who do not think it the best kind of government; but probably no American out of an insane asylum imagines any other kind of government possible here just now. I believe it to be the only form of government which can produce good and lastingly good results, and therefore in the long run the cheapest. It requires patience and a certain amount of faith in the observer; and if any one expects perfection from it, he will be disappointed. But it is, on the whole, the cheapest and the least mischievous form of government yet contrived by men, and it is this because it works according to natural laws; because—if it is really popular and not a sham, if the machinery is so arranged that the people do actually control—it enables them to have just as good a government as they want. No community has a right to more than this; nor is any man wise and just enough successfully to impose upon a community, for any length of time, a government better than they desire.

The great evil of all the charters under which New York has suffered is that they have limited the power of the people over

their own concerns. New York City government has not really been popular. It has never made the people responsible to themselves. It has cut them off from political education ; and to a great extent this has, of late, been purposely done, either by Republican politicians anxious to make of no account the Democratic majority of the city, or by Democratic politicians eager to job and rob ; and both have been assisted by a multitude of rich men, who had no faith in what they call “ the populace,” but, on the contrary, a great terror of their poorer fellow-citizens. Now there is nothing more absurd or less reasonable than this dread. The mass of the people of New York are poor, own no property, and live from hand to mouth ; most of the poorer sort in New York are wretchedly lodged ; yet they are, in the main, a law-respecting, peaceable, orderly people. In the riot of 1863, the most serious New York has seen, there is the strongest evidence for the assertion that the actual rioters never numbered one thousand men ; with these were an inconsiderable number of women and street boys, who stole, and occasionally set fire to an abandoned shop or warehouse. But the people of New York, though their fears had been artfully appealed to for weeks, had no part in the disturbance. One proof of the good character of the population of the city is seen in the ease with which disturbances are put down, and this in face of the fact that a riotous body has always full sway for days to organize, and is quietly allowed to gather on its own publicly appointed day, and to obstruct the streets, and badger the police, for hours, before it is dispersed.

To say, then, that the city is unfit for popular government, is nonsense. Moreover, almost every conceivable device to rule it without the direct and effective action of the people has now been tried. There remains only this one plain, square, honest, simple way, which Democratic and Republican hack-politicians alike abhor, because it would, within five years, and probably within three, put an end to jobbing and inefficiency, and give the city a reasonably honest and useful government, in which the best citizens would be able and proud to take a part.

If it is asked, what is the precise machinery of such a system as I urge, I must reply that it is not my duty to plan a new city charter. But look all over the country, and ascertain

what form of constitution has, on the whole, given the most satisfaction, and best fulfilled all the conditions of (1) interesting the people in the government; (2) giving them complete power over their rulers, and thus enabling them, whenever they wished, by a single effort, to change these; (3) consequently securing, generally, efficiency and honesty in the rulers; (4) giving these abundant power to preserve the peace and secure obedience to the laws; and (5) thus securing to the people as good a government as at any period they want. Better they have no right to.

The Constitution of the United States is that organic law which, better than any other, fulfils all these conditions. Now what are the prominent features of the machinery it provides?

1. One responsible head, the President, who appoints all his subordinates, and to whom alone the people look for the enforcement of the laws, for the preservation of order, and for the exercise of economy and the practise of honesty in all the departments of the administration.

2. A judiciary appointed for life.

3. A legislature which holds the purse-strings, and determines how much money shall be spent and for what purposes.

Now, there is in all this nothing which could not be applied to the government of a State or a city, just as well as to the government of the whole country. If New York is to have efficient and economical government, its charter must accord with the Federal Constitution in these three great points. First of all, it must give the city a Mayor, elected by the whole people, for a short term (I should prefer one year), who should appoint, *but for his own term of office only*, all his subordinates, including the Comptroller, and who would thus be directly and solely responsible to the inhabitants of the city for the good conduct of these officers. It must provide a city judiciary to be appointed by the Mayor for life, or good behavior. It must provide a Common Council which shall have all legislative power over every interest which is purely municipal, and, above everything else, over the appropriations of the city government.

It is not important that this city legislature should have two houses; and there are some good reasons why a single

house would be better. But this ought to be numerous. It should contain at least one hundred and probably one hundred and fifty members. That would so subdivide the city into small districts, as to give every part of the population a chance to be represented by men known to them; and it would be a check upon corruption, if any such check were needed.

Further, the charter should prohibit to this legislature the exercise of any administrative or executive functions whatever. This has been one of the most fertile sources of corruption and misgovernment in the city, as it is wherever the organic law does not prohibit to the legislature such functions. Moreover, the charter should prohibit the passage of special laws, or the granting of particular privileges. Whatever a legislature may do usefully, it may do, even in a city, by general enactments, giving equal privileges to all. It would remain, to define the limits of the municipal government; to declare, carefully, what belongs to the city, what to the State, and what perhaps to the Federal government. And here I am conscious is an undertaking of no little difficulty. I would begin by giving to the Governor the appointment of the sheriff. That officer is, properly, the lieutenant of the Governor, in a county. He is, properly, a part of the State and not of the local or municipal administration. He is the custodian of the peace of the county. It is his duty, on the order of the Governor, or without if the case is urgent, to suppress unlawful assemblages, to quell riots and affrays, and to arrest and commit to jail, if need be, those engaged in the disturbance of the public order. For a breach of the peace, crime, or misdemeanor, committed in his presence, he may arrest without a warrant. It shows to what an extent the government of the city and State of New York have fallen into disorder, that the sheriff was not even heard of on the day of the Orange riot. The Mayor surrendered to the mob; and the Governor, who originally agreed with the Mayor, when he changed his mind took the affair into his own hands, issued all the orders himself, and of course, as is the custom with men of that kind, suffered the mob to gather in force and obstruct the streets for hours, during which the business and comfort of an important part of the city were disturbed, before he chose to disperse the rioters. If he had resolutely ordered

the police to keep the streets clear and unobstructed from early dawn, no mob could have collected, and the troops need not have fired. No one would have been killed ; but the infuriated Roman Catholic Irish would have been still more angry with the Governor than they now are.

In preventing or quelling disturbances of the peace, the sheriff acts under the orders of the Governor, who is commander-in-chief in the State, and sworn to protect the peace and maintain order. He should, therefore, be a State officer, appointed by the Governor, and responsible to him.

Over every matter which concerns the city specially of course the city government ought to rule. Thus the appropriations for the city government,—how can the people of the whole State, assembled by their delegates at Albany, know how much the city of New York ought to spend, or for what ? As reasonably might the Congress at Washington assume to decide upon the necessary expenses of the different State governments. So, too, with the corporations which exist alone in the city, and for the convenience of its people, such as street railroads and gas companies. Is it not absurd that when a company wants to lay rails and run cars in streets which are the property of the inhabitants of New York, and for which these have paid, the company should get a charter at Albany ? The streets of the city are the property of the citizens ; and if New York had possessed a proper charter, if the rights of its people had not been shamefully invaded by the State, a way would have been discovered long ago to make the city railroad companies keep in thorough repair the streets they use, if not all the streets ; to make the gas companies light free of charge the streets which they also occupy, and at will break up ; and thus to effect an important saving to the tax-payers.

The public schools, the police, the Fire Department, the Water Department, etc., would, of course, under such a charter, be under the charge each of a single head appointed by the Mayor, removable by him at his own will, and going out of office with him at the expiration of his term. Each head of a department would name his subordinates, as is the custom now in the Federal administration. It would belong to the Common Council to scrutinize their acts and accounts ; and the people would hold the Mayor responsible for every shortcoming.

Under such a system of direct responsibility, the Mayor's life would be made intolerable if the streets were dirty, if the schools were mismanaged, or if the police were inefficient; and he might even, with such a goad as this, by and by succeed in abolishing in our cities the absurdity of ringing the bells when a fire is discovered, and even denoting, as they do in New York, by regulated and published signals, to the noble fraternity of thieves and pickpockets, where precisely a house or shop is on fire. Surely nothing is more ridiculous, even in China, than to hire bell-ringers to point out to the idlers and criminals of a great city where a fire is raging; the fire-telegraph having already informed the firemen, the only persons who have a right to this information, or who can usefully appear at a fire.

As it is the State government which would grant such or any city charter, it would do wisely to prohibit to the municipality certain things. It should, for instance, forbid it to hold real estate, except so far as this is needed for the public offices, the school and engine houses, the parks and pleasure-grounds. Markets and docks are well managed only by private hands; the example of the English docks, which are owned by companies, shows that this is perfectly safe; and the city legislature may always provide by general rules against their mismanagement. As to markets, no one pretends that a city ought to provide accommodations for the sale of dry-goods, clothing, flour, or molasses; and there is no good reason why it should undertake this service for the venders of meat and vegetables. Governments have never done this work well; and they can safely leave it to private enterprise, under proper and general sanitary regulations.

Finally, under such a charter, decentralization might be possible, by confiding to the citizens in subdivisions certain duties which experience might show could be better done thus than by the general administration. I am not prepared to say how far this might be carried; but it is a fact that for some years the only clean streets in New York, at all seasons, were two or three which were kept clean by the private enterprise of their inhabitants. In Chinese cities the residents of a street are made to keep the peace within their bounds, and are held

responsible for good order ; and as our cities increase in size, we may discover the need of providing by decentralization for their better government, and, what is of extreme importance, for the political education of the mass of the people.

In conclusion, it remains to ask what effect such a charter as has been suggested would have upon the government of a great city like New York.

1. It would let in daylight. It is not improbable that at the first election under such a charter, the old corruptionists would be returned to office. It is possible that the worst demagogue in New York would be chosen Mayor. But what then ? He and his followers could scarcely steal more than the Tweed-Connolly gang have stolen in the last year. But they would have to rob in the light of day. The Council would have to make the appropriations publicly and after a discussion which would fix public attention upon the result. It might appropriate many millions more than were needed, but it could not do this secretly ; and at the next election their conduct would be punished, and the people, clearly instructed by the press and by public speakers, and alarmed by self-interest, would surely put new men in office.

2. It would do away with such expedients as the Citizens' Association committees, which, under the present system, stand between the people and good government, and serve to discourage and make more helpless the good citizens. The present iniquitous charter of New York could not have been adopted, had not the manager of the Citizens' Association, Nathaniel Sands, at the last moment, agreed to take office under Tweed and Sweeney, and put the whole influence of the reform society which he controlled at the service of these men. Sands is Tax Commissioner ; his son and his assistants hold office under the ring ; and the city is bound hand and foot, because its most eminent citizens trusted Sands, instead of trusting the people.

3. Having the prospect before them of a reform by appeal to the people, and being able to hold one man, the Mayor, responsible for abuses, and a body of residents of the city, the Council, for extravagant appropriations, good citizens would no longer be tempted to lend their names, as they do now, to bolster up a rotten government, in the futile hope of being thus able to con-

trol and check corruption. At present some of the most honorable citizens of New York hold office under the ring. They do so, undoubtedly, because they see no other way to check extravagance and misrule. But their efforts are vain; and it is with them as it is in all such cases; their character is lent to the ring, and serves to bolster up corrupt men and keep them in power; but they have little influence themselves. It is the same kind of mistake which Mr. Seward made when he remained in President Johnson's Cabinet. He could not control the President, but he ruined himself.

4. It would give a real interest to city politics. At present the editors are as unable to decide upon the worthy candidates for the numerous elective city offices as the citizens. Most of the New York daily papers employ a special person, whose duty it is to inform the editor of the changes in city politics, to advise him of the character of the men nominated, and in fact to decide the course of the paper towards the municipal candidates. These persons are mere reporters; not uncommonly they hold office under the ring; and their chief work is to darken counsel by words without meaning.

5. It would, by confining the duty of the citizen to the election of two persons, a Mayor and a councilman, disable the political jobbers, whose success depends upon their ability to nominate a long ticket, of men little known, and whom no citizen not devoted to local politics — no honest voter, that is to say — can hope to know much about.

6. It would educate the people, would give the best citizens a lively interest in the city politics; would make a city election intelligible and easily understood, not only by the humblest citizen, but, what is of more importance, by the conductors of the press, who are now either silent, because a municipal election in New York is a riddle to every honest man, or allow their papers to be used by friends of the candidates.

7. It would restore party government in the city, and thus make the minority vigilant in discovering and denouncing dishonesty and inefficiency, for which the majority alone would be responsible.

8. It would open the door to many reforms and new expedients in government, which now have no chance. For

instance, it might be found useful to try some system of minority representation ; though, if the Council were a numerous body, this would hardly be necessary.

9. It would lead the wealthy citizens to interest themselves in the political education of their poorer neighbors. Why, for instance, should not the owner of a tenement-house, in presenting his monthly or quarterly bills to the occupants, make out an account of so much for rent, and so much added as the tenant's share of the general taxation ? Such an exhibit would lead the inconsiderate poor to think, and to vote intelligently.

I have endeavored to outline the only possible system under which (as I believe) our cities can purify their governments. Its sole merit is not that it will absolutely and at once cure the present evils, — only a political quack would venture to promise such a cure, — but that under it the people could have just as good a government as they wanted ; and that they would be undergoing, constantly, a course of political education. Of course, the political hacks, of both parties, will oppose such a system. Its adoption would ruin them. Unfortunately a great many good and honest people will also oppose it, because they dread the immediate result, and have little faith in the future. And yet it will be adopted ; because it is the only just and right system, and because almost every other possible device has been tried, and in vain.

CHARLES NORDHOFF.

ART. IV. — LANGUAGE AND EDUCATION.

OUR American system of education is one which, on many accounts, we regard with a just pride. Its glory is its broad and democratic foundation, in the measurable instruction and enlightenment of the whole people, of all conditions and of both sexes. It rests upon a thorough and comprehensive humanity, which denies no one his rights to happiness, and seeks to advance the interests of all. The free public school, and the use that is made of it, constitute the most important of our institutions. Though not